

**OPINION 2205 (Case 3376)*****Lithocolletis oxyacanthae* Frey, 1855 (currently *Phyllonorycter oxyacanthae*; Insecta, Lepidoptera): specific name conserved**

**Abstract.** The Commission has ruled that the specific name *Lithocolletis oxyacanthae* Frey, 1855 is conserved for a European leaf-mining moth by giving it precedence over the senior synonym *Lithocolletis pomonella* Zeller, 1846.

**Keywords.** Nomenclature; taxonomy; Lepidoptera; GRACILLARIIDAE; *Phyllonorycter*; *Phyllonorycter oxyacanthae*; *Phyllonorycter pomonella*; leaf miner moth; Europe.

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**Ruling**

- (1) Under the plenary power it is hereby ruled that the name *oxyacanthae* Frey, 1855, as published in the binomen *Lithocolletis oxyacanthae*, has precedence over the name *pomonella* Zeller, 1846, as published in the binomen *Lithocolletis pomonella*, whenever the two are considered to be synonyms.
- (2) The following names are hereby placed on the Official List of Specific Names in Zoology:
  - (a) *oxyacanthae* Frey, 1855, as published in the binomen *Lithocolletis oxyacanthae*, with the endorsement that it is to be given precedence over the name *pomonella* Zeller, 1846, as published in the binomen *Lithocolletis pomonella*, whenever the two are considered to be synonyms;
  - (b) *pomonella* Zeller, 1846, as published in the binomen *Lithocolletis pomonella*, with the endorsement that it is not to be given priority over the name *oxyacanthae* Frey, 1855, as published in the binomen *Lithocolletis oxyacanthae*, whenever the two are considered to be synonyms.

**History of Case 3376**

An application to conserve the usage of the specific name *Lithocolletis oxyacanthae* Frey, 1855 (Insecta, Lepidoptera) was received from Paolo Triberti (*Museo Civico di Storia Naturale, Verona, Italy*) on 5 January 2006. This species is widespread, with larvae that mine leaves of hawthorn and other ROSACEAE in Europe. *Lithocolletis pomonella* Zeller, 1846 has recently been accepted as a senior synonym of *Lithocolletis oxyacanthae*, however the former name has had a complicated history of synonymy and misuse. A revision of Palearctic *Phyllonorycter* species by Triberti (2007) included clarification of the taxonomy of *Phyllonorycter oxyacanthae* (Frey, 1855) with the aim of this application to stabilise the specific name. After correspondence the case was published in BZN 64(2): 96–99 (June 2007). The title, abstract and keywords of the case were published on the Commission's website. Three supportive comments were published in BZN 64(2): 126–127.

**Decision of the Commission**

On 1 March 2008 the members of the Commission were invited to vote on the proposals published in BZN 64: 97. At the close of the voting period on 1 June 2008 the votes were as follows:

Affirmative votes – 16: Bogutskaya, Bouchet, Brothers, Fautin, Grygier, Halliday, Kottelat, Krell, Kullander, Lamas, Mawatari, Papp, Rosenberg, Štys, van Tol and Zhang.

Negative votes – 1: Pape.

No votes were received from Lim. Alonso-Zarazaga, Minelli, Ng, Patterson and Pyle were on leave of absence.

Voting for the proposals, Halliday pointed out that he hoped Triberti (2007) was published before 30 June 2007, as, if not, then the species name *hostis* is a nomen nudum in the case and in one of the supporting comments. Grygier also voted for the proposals, but said he hesitated slightly owing to the lack of any numerical data or list of citations demonstrating the supposedly consistent use of *oxyacanthae*.

### Original references

The following are the original references to the names placed on Official Lists by the ruling given in the present Opinion:

*oxyacanthae*, *Lithocolletis*, Frey, 1855, *Mittheilungen der Naturforschenden Gesellschaft in Zürich*, **3**: 606–607.

*pomonella*, *Lithocolletis*, Zeller, 1846, *Linnaea Entomologica*, **1**: 201.